

STATE OF WISCONSIN
Assembly Journal
Eighty-Ninth Regular Session

9:30 A.M.

WEDNESDAY, April 26, 1989

The assembly met.

Speaker pro tempore Clarenbach in the chair.

The prayer was offered by Representative Ott.

Representative Hinkfuss led the membership in reciting the pledge of allegiance to the flag of the United States of America.

The roll was taken.

The result follows:

Present — Representatives Antaramian, Baldus, Barca, Barrett, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Duff, Farrow, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Klusman, Krug, Krusick, Kunicki, Ladwig, Lahn, Larson, Lautenschlager, Lehman, Lepak, Lewis, Linton, Lorge, Loucks, Medinger, Moore, Musser, Nelsen, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, Prosser, Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Seery, Stower, Swoboda, Tesmer, Thompson, Travis, Tregoning, Turba, Underheim, Van Dreel, Van Gorden, Vanderperren, Vergeront, Volk, Walling, Welch, Williams, Wimmer, Wineke, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus — 98.

Absent — None.

Absent with leave — Representative Schultz — 1.

Vacancies — None.

AMENDMENTS OFFERED

Assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 28** offered by Representatives Deininger, Young, Rohan, Duff and Bolle.

Assembly substitute amendment 2 to **Assembly Bill 124** offered by Representatives Welch, Deininger, Grobschmidt, Young, Lehman, Larson, Porter, Goetsch, Johnsrud and Gronemus.

INTRODUCTION AND REFERENCE
OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 41

Relating to commemorating the 75th anniversary of the cooperative extension service.

By Representatives Johnsrud, Gronemus and Ott, cosponsored by Senators Moen and Rude.

To committee on Rules.

Assembly Joint Resolution 42

Relating to requesting a presidential commission inquiry into off-reservation treaty rights.

By Representatives Hubler, Holperin, Stower, Volk, Boyle, Rohan, Wood, Van Dreel, Hasenohrl, Musser, Larson, Panzer, Ladwig, Brancel, Lahn, Lepak, Duff, Welch, Lehman, Porter, Goetsch, Rosenzweig, Schmidt, Harsdorf, Hamilton and Thompson, cosponsored by Senators Roshell, Jauch, Shoemaker and Kreul.

To committee on Rules.

COMMITTEE REPORTS

The committee on Veterans and Military Affairs reports and recommends:

Assembly Bill 171

Relating to the rendering of final decisions in contested cases before the department of veterans affairs.

Without recommendation pursuant to s. 227.19(6)(b) of the Wisconsin Statutes.

To committee on Rules

DALE BOLLE
Chairperson

MESSAGE FROM THE SENATE

By Donald J. Schneider, chief clerk.

Mr. Speaker:

I am directed to inform you that the senate has passed and asks concurrence in:

Senate Bill 65

Concurred in as amended:

Assembly Bill 1 (senate substitute amendment 4 adopted)

Assembly Bill 14 (senate amendments 1 and 2 adopted)

ACTION ON THE SENATE MESSAGE

Senate Bill 65

Relating to the authority of a metropolitan sewerage district established by a 1st class city to recover capital costs and to expand its boundaries.

By Senators George, Burke, Lorman, Kreul, Czarnecki, Ulichny and Lee; cosponsored by Representatives Bell, Grobschmidt, Kunicki, Carpenter, Fortis, Bock, Seery, Notestein, Williams, Barrett and Krug, by request of J.O.B.S. (Joint Organization for Better Sewers) and M.M.S.D. (Milwaukee Metropolitan Sewerage District).

To committee on Environmental Resources and Utilities.

Assembly Bill 1

Relating to establishing a minimum wage for certain employes.

By Representatives Barca, Ourada, M. Coggs, Ladwig, Loftus, Antaramian, Carpenter, Vanderperren, Clarenbach, Van Drael, Zweck, Seery, Bell, Grobschmidt, Medinger, Barrett, Bock, Gruszynski, Young, Holschbach, Krug, Roberts, Boyle, Notestein, Fortis, Tesmer, S. Coggs, Williams, Black, Hauke, Travis, Gronemus, Wood, Robson, Rohan, Plache, Huber and Linton, cosponsored by Senators Chvala, Andrea, Burke, Czarnecki, Risser, Feingold, Strohl, Kincaid, Plewa, Te Winkle, George, Jauch and Helbach.

To committee on Rules.

Assembly Bill 14

Relating to notification of the release into the environment of genetically engineered organisms and providing penalties.

By Representatives Black, Ourada, Barca, Fergus, Bell, Goetsch, Bock, Medinger, Porter, M. Coggs, Musser, Roberts, Notestein, Ott, Fortis, Plache, Rosenzweig and Gronemus, cosponsored by Senators Te Winkle, Chilsen and Buettner.

To committee on Rules.

LEAVES OF ABSENCE

Representative Radtke asked unanimous consent for a leave of absence for today's session for Representative Schultz. Granted.

Representative Hauke asked unanimous consent for a leave of absence for part of today's session for Representative Williams. Granted.

Representative Gruszynski asked unanimous consent that the assembly stand recessed for thirty minutes. Granted.

The assembly stood recessed.

9:38 A.M.

RECESS

11:00 A.M.

The assembly reconvened.

MOTIONS

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 40** be withdrawn from the ninth order of business on today's calendar and taken up at this time. Granted.

Assembly Joint Resolution 40

Relating to national nurse day.

The question was: Shall **Assembly Joint Resolution 40** be adopted?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 40** be immediately messaged to the senate. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 101** be withdrawn from the twelfth order of business on today's calendar and taken up at this time. Granted.

Assembly Bill 101

Relating to costs incurred by a town in laying a highway to provide access to certain real estate.

The question was: Shall **Assembly Bill 101** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 101** be given a third reading. Granted.

The question was: **Assembly Bill 101** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 101** be immediately messaged to the senate. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 142** be withdrawn from the twelfth order of business on today's calendar and taken up at this time. Granted.

Assembly Bill 142

Relating to requesting a school board to modify a pupil's program or curriculum.

Representative Nelsen moved rejection of assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 142**.

The question was: Shall assembly amendment 1 to assembly substitute amendment 1 to **Assembly Bill 142** be rejected?

The roll was taken.

The result follows:

Ayes — Representatives Antaramian, Baldus, Barrett, Bell, Black, Bock, Bolle, Boyle, Brancel, Brandemuehl, Carpenter, Clarenbach, Coggs, M., Coggs, S., Deininger, Duff, Farrow, Fergus, Fortis, Foti, Gard, Goetsch, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Klusman, Kunicki, Ladwig, Lahn, Larson, Lautenschlager, Lehman, Lepak, Lewis, Linton, Lorge, Loucks, Moore, Musser, Nelsen, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, Prosser, Roberts, Robson, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Seery, Stower, Swoboda, Thompson, Travis, Tregoning, Turba, Underheim, Van Dreel, Van Gorden, Vanderperren, Volk, Walling, Welch, Wimmer, Wineke, Young, Zeuske, Zien, Zweck and Speaker Loftus — 86.

Noes — Representatives Barca, Coleman, Grobschmidt, Krug, Krusick, Medinger, Radtke, Rohan, Tesmer, Vergeront and Wood — 11.

Absent or not voting — Representatives Schultz and Williams — 2.

Motion carried.

Representative Williams asked unanimous consent to be recorded as voting "Aye" on the previous question. Granted.

The question was: Shall assembly substitute amendment 1 to **Assembly Bill 142** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 142** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 142** be given a third reading. Granted.

The question was: **Assembly Bill 142** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 142** be immediately messaged to the senate. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 188** be withdrawn from the twelfth order of business on today's calendar and taken up at this time. Granted.

Assembly Bill 188

Relating to requiring tax key numbers on conveyances in populous counties.

The question was: Shall **Assembly Bill 188** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 188** be given a third reading. Granted.

The question was: **Assembly Bill 188** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 188** be immediately messaged to the senate. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 216** be withdrawn from the twelfth order of business on today's calendar and taken up at this time. Granted.

Assembly Bill 216

Relating to various changes to the laws pertaining to handicapped education.

The question was: Shall **Assembly Bill 216** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 216** be given a third reading. Granted.

The question was: **Assembly Bill 216** having been read three times, shall the bill be passed?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 216** be immediately messaged to the senate. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 42** be withdrawn from the committee on Rules and taken up at this time. Granted.

Assembly Joint Resolution 42

Relating to requesting a presidential commission inquiry into off-reservation treaty rights.

The question was: Shall **Assembly Joint Resolution 42** be adopted?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 42** be immediately messaged to the senate. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 3** be withdrawn from the thirteenth order of business on today's calendar and taken up at this time. Granted.

Senate Bill 3

Relating to compensation for sheriffs.

The question was: Shall **Senate Bill 3** be ordered to a third reading?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 3** be given a third reading. Granted.

The question was: **Senate Bill 3** having been read three times, shall the bill be concurred in?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Senate Bill 3** be immediately messaged to the senate. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 171** be withdrawn from the committee on Rules and taken up at this time. Granted.

Assembly Bill 171

Relating to the rendering of final decisions in contested cases before the department of veterans affairs.

Representative Hauke asked unanimous consent that **Assembly Bill 171** be laid on the table. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 41** be withdrawn from the committee on Rules and taken up at this time. Granted.

Assembly Joint Resolution 41

Relating to commemorating the 75th anniversary of the cooperative extension service.

The question was: Shall **Assembly Joint Resolution 41** be adopted?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Joint Resolution 41** be immediately messaged to the senate. Granted.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 1** be withdrawn from the committee on Rules and made a special order of business at 9:30 A.M. on Thursday, April 27. Granted.

Representative Schneider in the chair.

Representative Hauke asked unanimous consent that **Assembly Bill 306** be withdrawn from the table and taken up at this time. Granted.

Assembly Bill 306

Relating to the interest rate on loans related to agriculture that are guaranteed by the Wisconsin housing and economic development authority.

Assembly amendment 1 to **Assembly Bill 306** offered by Representative Hubler.

Representative Gronemus moved rejection of assembly amendment 1 to **Assembly Bill 306**.

Speaker Loftus in the chair.

POINT OF ORDER

Representative Gronemus rose to the point of order that assembly amendment 1 to **Assembly Bill 306** was not germane.

Representative Gronemus withdrew her point of order.

Representative Schneider in the chair.

The question was: Shall assembly amendment 1 to **Assembly Bill 306** be rejected?

The roll was taken.

The result follows:

Ayes — Representatives Baldus, Bell, Bolle, Brancel, Brandemuehl, Clarenbach, Coggs, M., Coleman, Deininger, Duff, Farrow, Fergus, Fortis, Foti, Gard, Goetsch, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Holperin, Holschbach, Huelsman, Johnsrud, Klusman, Krusick, Kunicki, Ladwig, Lahn, Larson, Lautenschlager, Lehman, Lepak, Lewis, Lorge, Loucks, Moore, Musser, Nelsen, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, Prosser, Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Secry, Stower, Swoboda, Tesmer, Thompson, Tregoning, Turba, Underheim, Van Gorden, Vanderperren, Vergeront, Volk, Walling, Welch, Williams, Wimmer, Zeuske, Zien and Speaker Loftus — 77.

Noes — Representatives Antaramian, Barca, Barrett, Black, Bock, Boyle, Carpenter, Coggs, S., Grobschmidt, Hinkfuss, Huber, Hubler, Krug, Linton, Medinger, Travis, Van Dreel, Wineke, Wood, Young and Zweck — 21.

Absent or not voting — Representative Schultz — 1.

Motion carried.

The question was: Shall **Assembly Bill 306** be ordered engrossed and read a third time?

Motion carried.

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Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 306** be given a third reading. Granted.

The question was: **Assembly Bill 306** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes — Representatives Baldus, Barca, Bell, Black, Bock, Bolle, Boyle, Brandemuehl, Carpenter, Clarenbach, Coggs, M., Coggs, S., Coleman, Deininger, Duff, Farrow, Fergus, Fortis, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Klusman, Krusick, Ladwig, Lahn, Larson, Lautenschlager, Lehman, Lewis, Linton, Lorge, Moore, Musser, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, Prosser, Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Seery, Stower, Swoboda, Tesmer, Thompson, Travis, Tregoning, Turba, Underheim, Van Dreel, Van Gorden, Vanderperren, Vergeront, Volk, Welch, Williams, Wimmer, Wineke, Wood, Young, Zeuske, Zien, Zweck and Speaker Loftus — 87.

Noes — Representatives Antaramian, Barrett, Brancel, Foti, Krug, Kunicki, Lepak, Loucks, Medinger, Nelsen and Walling — 11.

Absent or not voting — Representative Schultz — 1.

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 306** be immediately messaged to the senate. Granted.

Speaker Loftus in the chair.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 14** be withdrawn from the committee on Rules and taken up at this time. Granted.

Assembly Bill 14

Relating to notification of the release into the environment of genetically engineered organisms and providing penalties.

The question was: Shall senate amendment 1 to **Assembly Bill 14** be concurred in?

Motion carried.

The question was: Shall senate amendment 2 to **Assembly Bill 14** be concurred in?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that the assembly's action on **Assembly Bill 14** be immediately messaged to the senate. Granted.

Representative Hauke asked unanimous consent that **Assembly Bill 95** be withdrawn from the calendar of Tuesday, April 25 and laid on the table. Granted.

The assembly stood informal for five minutes.

Representative Hauke asked unanimous consent that **Assembly Bill 95** be taken from the table and taken up at this time. Granted.

Assembly Bill 95

Relating to passenger capacity of vessels eligible for alcohol beverages permits.

Representative Hamilton asked unanimous consent that assembly amendment 1 to assembly amendment 2 to **Assembly Bill 95** be laid on the table. Granted.

POINT OF ORDER

Representative Radtke rose to the point of order that assembly amendment 2 to **Assembly Bill 95** was not germane under Assembly Rule 54(3)(f).

The speaker ruled the point of order well taken.

Representative Hamilton asked unanimous consent that assembly amendment 1 to assembly amendment 3 to **Assembly Bill 95** be laid on the table. Granted.

POINT OF ORDER

Representative Radtke rose to the point of order that assembly amendment 3 to **Assembly Bill 95** was not germane under Assembly Rule 54(3)(f).

The speaker ruled the point of order not well taken.

Representative Radtke asked unanimous consent that assembly amendment 1 to assembly amendment 3 to **Assembly Bill 95** be taken from the table and taken up at this time. Granted.

The question was: Shall assembly amendment 1 to assembly amendment 3 to **Assembly Bill 95** be adopted?

Motion carried.

The question was: Shall assembly amendment 3 to **Assembly Bill 95** be adopted?

Motion carried.

The question was: Shall **Assembly Bill 95** be ordered engrossed and read a third time?

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 95** be given a third reading. Granted.

The question was: **Assembly Bill 95** having been read three times, shall the bill be passed?

The roll was taken.

The result follows:

Ayes Representatives Antaramian, Baldus, Barca, Barrett, Bell, Black, Bock, Bolle, Boyle, Brandemuehl, Carpenter, Clarenbach, Coggs, M., Coggs, S., Deininger, Duff, Farrow, Fergus, Fortis, Foti, Gard, Goetsch, Grobschmidt, Gronemus, Gruszynski, Hamilton, Harsdorf, Hasenohrl, Hauke, Hinkfuss, Holperin, Holschbach, Huber, Hubler, Huelsman, Johnsrud, Klusman, Krug, Krusick, Kunicki, Ladwig, Lahn, Larson, Lautenschlager, Lehman, Lepak, Lewis, Linton, Lorge, Loucks, Medinger, Moore, Nelsen, Notestein, Ott, Ourada, Panzer, Plache, Porter, Potter, Prosser, Radtke, Roberts, Robson, Rohan, Rosenzweig, Rutkowski, Schmidt, Schneider, Schneiders, Seery, Stower, Swoboda, Tesmer, Thompson, Travis, Tregoning, Turba, Underheim, Van Dreel, Vanderperren, Vergeront, Volk, Walling, Welch, Williams, Wimmer, Wineke, Young, Zeuske, Zien, Zweck and Speaker Loftus — 93.

Noes — Representatives Brancel, Coleman, Musser, Van Gorden and Wood — 5.

Absent or not voting — Representative Schultz — 1.

Motion carried.

Representative Hauke asked unanimous consent that the rules be suspended and that **Assembly Bill 95** be immediately messaged to the senate. Granted.

Representative Duff asked unanimous consent that the assembly adjourn in honor of Representative Lehman, who celebrated his forty-sixth birthday on Monday, April 24. Granted.

Representative Hinkfuss asked unanimous consent that the assembly adjourn in honor of the ninety-first birthday of her mother. Granted.

Representative Hauke asked unanimous consent that the assembly adjourn in honor of Speaker Loftus, who celebrated his forty-fourth birthday on Monday, April 24. Granted.

VISITORS

During today's session, the following visitors honored the assembly by their presence, and were welcomed by the presiding officer and the members:

Milwaukee County Executive David Schulz, guest of Representative Loftus.

Tenth grade students from Gibraltar High School in Fish Creek, guests of Representative Swoboda.

Doug Goldman, Rick Benjamin, Betty Puterbaugh, Anita McDonough, Judy Measner, Maria Adams and Linda Appelholm, guests of Representatives Stower and Harsdorf.

Fourth grade students from McKinley School in Wauwatosa accompanied by teachers Mrs. Anderson and Mrs. Tawner, guests of Representative Rosenzweig.

Students from Silver Lake College in Manitowoc accompanied by instructor Pat Gagnon, guests of Representative Holschbach.

Students from Poynette High School, guests of Representative Thompson.

Dr. Ursula Bertrand, guest of Representative Hinkfuss.

Fourth Grade Students from Armitage Academy in Kenosha, guests of Representative Antaramian.

Students from Western Wisconsin Technical College in La Crosse accompanied by Mary Bantle, guests of Representatives Medinger and Roberts.

Laurel Beckman, Becky Rosenberg, Phillip Sand, Paul Kneser and Leanne Nielsen from Brookfield, guests of Representative Farrow.

Mrs. Kathy Clumpner, President of the Whitewater United District School Board, guest of Representatives Coleman and Lewis.

Audrey McClellan of the Janesville School Board, guest of Representative Lewis.

Students from Washington Park High School in Racine accompanied by their teacher Kurt Eide, guests of Representative Fergus.

Thomas Ament, Chairman of the Milwaukee County Board, guest of Representative Nelsen.

Twelfth grade students from Boscobel High School accompanied by their teacher Mr. Miller, guests of Representative Johnsrud.

Allen and Ilene Zien, father and stepmother of Representative Zien, Edith McCuulen, Leona Winter, Bernadine Jackson, Sue Roth, George and Dorothy Young, Mr. and Mrs. Stanley Lawceiwicz, Nancy Bergerson, Mary Ann Mueller, Esther Barth and Delores Ripinski, guests of Representative Zien.

Representative Hauke moved that the assembly stand adjourned until 9:30 A.M. tomorrow.

The question was: Shall the assembly stand adjourned?

Motion carried.

The assembly stood adjourned.

12:02 P.M.